

ENROLLED RESOLUTION 161-8

AMEND THE REGIONAL WATER QUALITY MANAGEMENT PLAN FOR
THE VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN

WHEREAS the Southeastern Wisconsin Regional Planning Commission, duly created by the Governor of the State of Wisconsin in accordance with Section 66.945(2) of the Wisconsin Statutes on August 8, 1960, upon the petition of the Counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha, has the function and duty of making and adopting a Master Plan for the physical development of the region, and

WHEREAS the Southeastern Wisconsin Regional Planning Commission selected and adopted on July 12, 1979, a report entitled “Regional Water Quality Management Plan for Southeastern Wisconsin-Year 2000”, (Southeastern Wisconsin Regional Planning Commission Report No. 30), and

WHEREAS the Waukesha County Board of Supervisors has supported, participated in the financing of, and generally concurred in the Regional Planning Programs undertaken by the Southeastern Wisconsin Regional Planning Commission and believes that the Regional Water Quality Management Plan for the Southeastern Wisconsin Region is a sound and valuable guide providing technical data and support to the concept of further refinement of the adopted Regional Land Use Plan, and

WHEREAS the County Board of Supervisors has adopted the “Regional Water Quality Management Plan for Southeastern Wisconsin – Year 2000”, Planning Report No. 30 on October 23, 1979 in Resolution No. 140, and

WHEREAS the Southeastern Wisconsin Regional Planning Commission and the Village of Sussex adopted an amendment to the “Regional Water Quality Management Plan” refining and detailing the Sussex Sewer Service area documented as Community Assistance Planning Report No 84 (2nd Edition), and entitled “Sanitary Sewer Service Area for the Village of Sussex, Waukesha County, Wisconsin” dated September 1994 as amended; and

WHEREAS by letter dated October 23, 2006, the Village of Sussex requested an amendment to Community Assistance Planning Report No. 84 (2nd Edition), to add certain lands to the Village of Sussex Sanitary Sewer Service area, and after due notice and public hearing held on November 14, 2006, and preparation of a report entitled, “Regional Water Quality Management Plan for the Village of Sussex, Waukesha County, Wisconsin”, dated December 2006, and adopted by the Southeastern Wisconsin Regional Planning Commission on December 6, 2006, and by the Village of Sussex Board of Trustees on November 14, 2006, and

WHEREAS the subject matter of this Resolution has been duly considered by the Waukesha County Park and Planning Commission and the Land Use, Parks and Environmental Committee, which recommends its adoption.

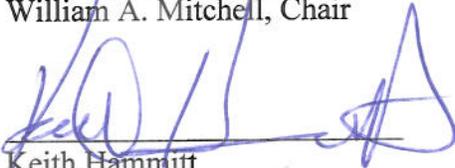
NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA that the Southeastern Wisconsin Regional Planning Commission's Planning Report No. 30, Regional Water Quality Management Plan for Southeastern Wisconsin – Year 2000, as amended in Community Assistance Planning Report No. 84 (2nd Edition) entitled "Regional Water Quality Management Plan for the Village of Sussex, Waukesha County, Wisconsin" dated December 2006, is hereby approved signifying the County's agreement with the change to the "Regional Water Quality Management Plan" identified in the amendment document.

BE IT FURTHER RESOLVED that the Waukesha County Clerk shall transmit a certified copy of this Resolution to the Southeastern Wisconsin Regional Planning Commission and the Village of Sussex Clerk upon its adoption.

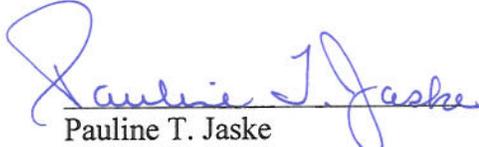
AMEND THE REGIONAL WATER QUALITY MANAGEMENT PLAN FOR
THE VILLAGE OF SUSSEX, WAUKESHA COUNTY, WISCONSIN

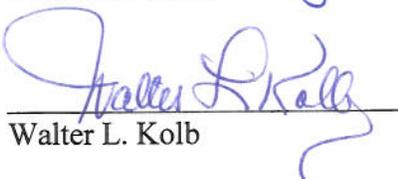
Presented by:
Land Use, Parks, and Environment Committee


William A. Mitchell, Chair


Keith Hammitt


Keith Harenda

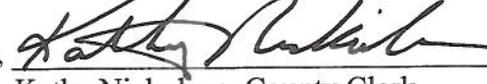

Pauline T. Jaske


Walter L. Kolb

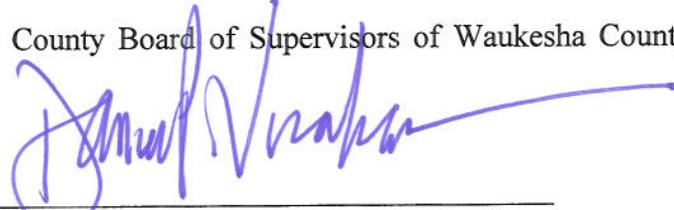

Vera Stroud


Peter M. Wolff

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 3-2-07, 
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X
Vetoed: _____
Date: 3-5-07, 
Daniel P. Vrakas, County Executive

LAKE FIVE

RICHFIELD WASHINGTON CO.
LISBON WAUKESHA CO.

AMENDMENT TO THE

REGIONAL WATER QUALITY MANAGEMENT PLAN

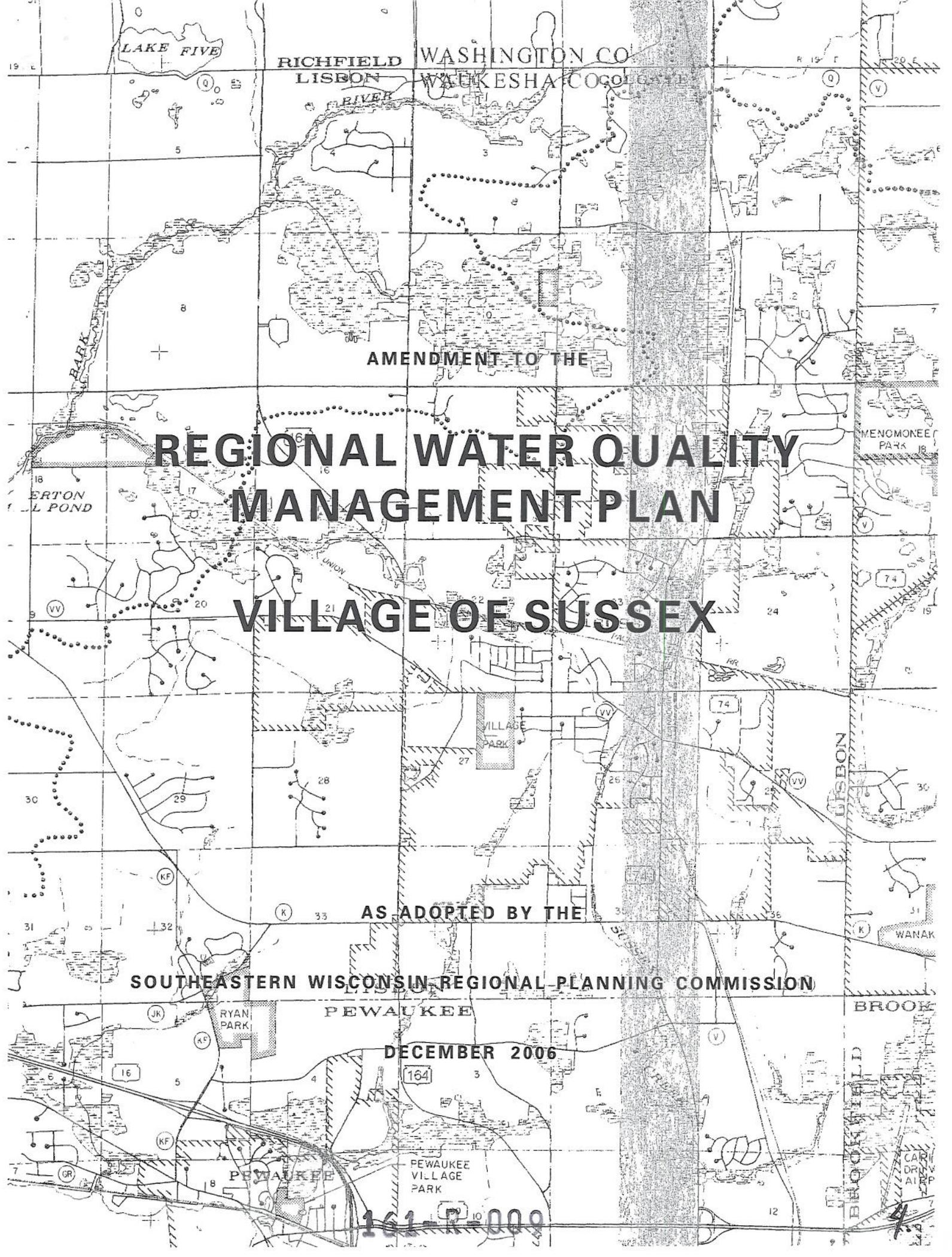
VILLAGE OF SUSSEX

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

DECEMBER 2006

101-R-009



SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Sussex Sanitary Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Waukesha, the Village of Sussex, and the Town of Lisbon

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Port of Milwaukee Offices, Milwaukee, Wisconsin, on the 6th day of December 2006, the Commission did by unanimous vote of all Commissioners present, being 14 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional water quality management plan, which plan was originally adopted by the Commission on the 12th day of July 1979, as part of the master plan for the physical development of the Region. Said amendment to the regional water quality management plan pertains to the revised Sussex sanitary sewer service area and consists of the documents attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Pewaukee, Wisconsin, this 7th day of December 2006.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson, Deputy Secretary

161-R-009

5.

RESOLUTION NO. 2006-20

RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION AMENDING THE ADOPTED REGIONAL WATER QUALITY MANAGEMENT PLAN, THAT PLAN BEING A PART OF THE MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF THE REGION CONSISTING OF THE COUNTIES OF KENOSHA, MILWAUKEE, OZAUKEE, RACINE, WALWORTH, WASHINGTON, AND WAUKESHA IN THE STATE OF WISCONSIN (SUSSEX SANITARY SEWER SERVICE AREA)

WHEREAS, pursuant to Section 66.0309(10) of the *Wisconsin Statutes*, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, *A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000*; and

WHEREAS, at a meeting held on the 7th day of September 1994, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Sussex sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 84 (2nd Edition), *Sanitary Sewer Service Area for the Village of Sussex, Waukesha County, Wisconsin*, dated September 1994, as amended; and

WHEREAS, by letter dated October 23, 2006, the Village of Sussex requested that the Commission amend the Sussex sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, "Response to Request by the Village of Sussex to Amend the Sussex Sanitary Sewer Service Area," attached hereto and made a part hereof; and

WHEREAS, the requested change to the regional water quality management plan, as documented in the aforementioned staff memorandum, was the subject of a public hearing held jointly by the Village of Sussex and the Regional Planning Commission on November 14, 2006; and

WHEREAS, Section 66.0309(9) of the *Wisconsin Statutes* authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

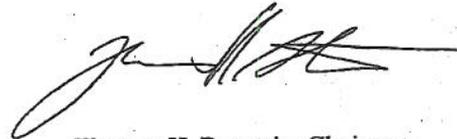
NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was amended on the 7th day of September 1994 to include the refined Sussex sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 84 (2nd Edition), be and the same hereby is amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum.

SECOND: That the Executive Director is authorized to submit findings to the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce that public and private sanitary sewer extensions necessary to serve the anticipated development on the lands concerned are in conformance with, and would serve to implement, the adopted regional water quality management plan as herein amended.

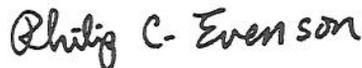
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 6th day of December 2006, the vote being: Ayes 14; Nays 0.



Thomas H. Buestrin, Chairman

ATTEST:



Philip C. Evenson, Deputy Secretary

SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE VILLAGE OF SUSSEX TO AMEND THE SUSSEX SANITARY SEWER SERVICE AREA

INTRODUCTION AND BACKGROUND

By letter dated October 23, 2006, the Village of Sussex requested that the Southeastern Wisconsin Regional Planning Commission amend the sanitary sewer service area tributary to the Village of Sussex sewage treatment facility. That area is currently documented in SEWRPC Community Assistance Planning Report No. 84 (2nd Edition), *Sanitary Sewer Service Area for the Village of Sussex, Waukesha County, Wisconsin*, dated September 1994, as amended. The basic purpose of this amendment would be to include within the planned Sussex sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area.

AREA DESCRIPTION

Four areas are proposed to be added to the Sussex sanitary sewer service area, as indicated on Map 1. Those areas, which are generally located along the western edge of the current sewer service area along both sides of STH 164, encompass a total of 250 acres. The subject areas contain 32 acres of environmentally significant lands, including 20 acres of secondary environmental corridor, 6 acres of small wetlands, and 6 acres of farmed floodplains. It is envisioned that the farmed floodplains would eventually revert to more natural conditions and become part of the adjacent secondary environmental corridors as agricultural operations cease. About 11 acres of the subject areas are in urban use, consisting of road rights-of-way and residential use with 5 existing housing units. The remainder of 207 acres, currently in agricultural and open space use, is planned to accommodate future residential, commercial, and recreational uses. The planned residential uses would accommodate about 280 housing units with a population of about 700 persons under full development conditions.

A more detailed delineation of the revised sewer service area and of the environmentally significant lands within is shown on the aerial photographs reproduced as Maps 2, 3, 4, and 5. The boundaries of the environmentally significant lands shown on Maps 2, 3, 4, and 5 have been updated to reflect existing (2000) conditions and recent field surveys.

It should be noted that the currently proposed amendment is an interim expansion of the sewer service area. The Village of Sussex and the Town of Lisbon have sought further expansion of the sewer service area tributary to the Sussex sewage treatment plant, in accordance with their mutual boundary agreement. It is envisioned that a major revision of the Sussex and environs sewer service area will be completed in 2007.

RELATIONSHIP TO THE EXISTING SANITARY SEWER SERVICE AREA

The proposed addition of 250 acres to the Sussex sanitary sewer service area represents an increase in the planned sewer service area of 4.8 percent. Including the potential population of the area proposed to be added to the sewer service area at this time, the buildout population of the sewer service area—that is, the estimated population which could be accommodated upon full development of the sewer service area—would approximate 14,700 persons. The projected year 2035 population range for the Sussex-Lisbon area under the adopted regional land use plan is 17,800 to 24,900 persons. It is expected that the buildout population for the sewer service area—after the revision scheduled for 2007—will be within that range.

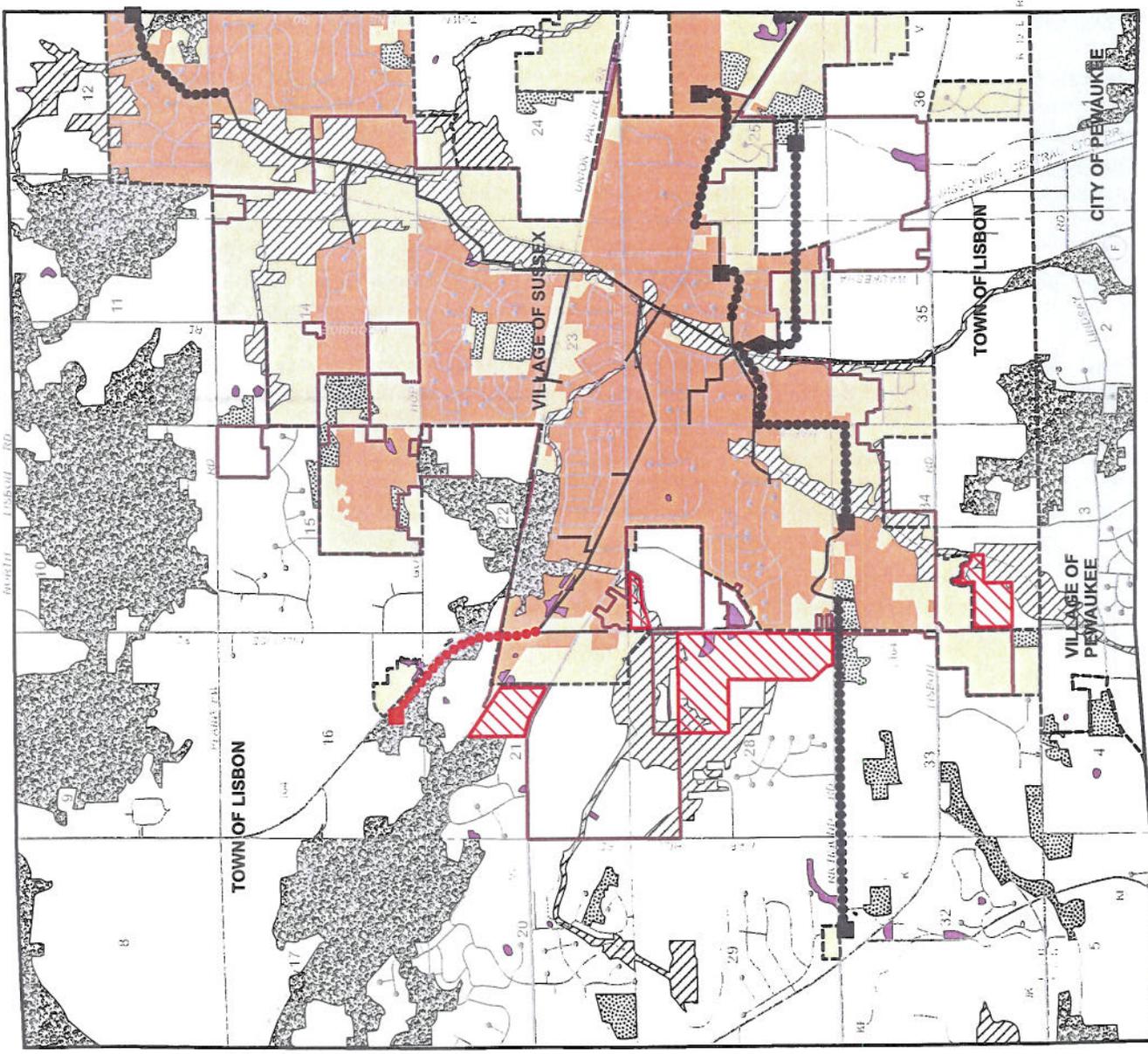
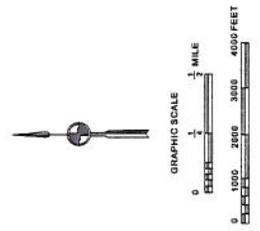
WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the sanitary sewer service area plan herein set forth, it is envisioned that all urban lands within the planned urban service area would receive sanitary sewer service. Assuming that all applicable Federal, State, and local permits are obtained and that proper site development and construction practices are

Map 1

PROPOSED AMENDMENT TO THE VILLAGE OF SUSSEX AND ENVIRONS SANITARY SEWER SERVICE AREA

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN 5 ACRES IN SIZE
-  PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
-  EXISTING AREA SERVED BY PUBLIC SANITARY SEWERS: 2000
-  PLANNED SANITARY SEWER SERVICE AREA
-  LANDS PROPOSED TO BE ADDED TO THE SANITARY SEWER SERVICE AREA
-  EXISTING PUBLIC SEWAGE TREATMENT FACILITY
-  EXISTING PUMPING STATION
-  EXISTING TRUNK SEWER
-  EXISTING FORCE MAIN
-  PROPOSED PUMPING STATION
-  PROPOSED FORCE MAIN
-  SANITARY SEWER SERVICE AREAS TRIBUTARY TO THE FOX RIVER WATER POLLUTION CONTROL CENTER SEWAGE TREATMENT PLANT



Source: SEWRPC.

employed, there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

SEWERAGE SYSTEM CAPACITY IMPACT ANALYSIS

The existing Village of Sussex sewage treatment plant has a hydraulic design capacity of about 3.2 million gallons per day (mgd) on an average annual flow basis. This treatment plant capacity is shared by the Villages of Sussex, Lannon, and Menomonee Falls; the Town of Lisbon Sanitary District No. 1; and the Town of Lisbon. The average annual flow rate to the treatment plant in 2004 was about 2.0 mgd. The anticipated sewage flow to be generated in the areas proposed to be added to the sewer service area may be expected to be about 0.1 mgd on an average annual basis upon full development. Thus, the treatment plant has capacity to serve the proposed additions to the sewer service area.

The Village of Sussex recently completed a facility plan for expansion of its sewage treatment plant to increase capacity from 3.2 mgd to as much as 5.1 mgd on an average annual basis. The Village has completed design work and is in the process of initiating construction for the plant expansion. The project is expected to be completed in 2008.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on November 14, 2006, at the Sussex Village Hall to receive public comment on, and reaction to, the proposed sewer service area plan amendment. The hearing was sponsored by the Village of Sussex and the Regional Planning Commission. A summary of the plan amendment—including a description of the lands proposed to be added to the sewer service area and the environmentally significant lands within—was presented prior to receiving public comment.

At the hearing, the owner of property affected by one of the proposed additions, located southeast of the intersection of STH 164 and CTH K, asked why the southernmost portion of his parcel was not included in the proposed addition to the sewer service area. Village officials responded that adding the southernmost portion of the parcel (extending about 650 feet north of CTH K) would violate the terms of the Village of Sussex/Town of Lisbon boundary agreement, and that any modification to the boundary agreement would have to involve the Town of Lisbon. Village officials and the Village President suggested that the property owner contact Town officials regarding the matter, and indicated that the Village would be amenable to working with the Town to resolve the issue. Following brief further discussion, the property owner expressed support for the proposed sewer service area plan amendment.

No other substantive concerns were raised at the hearing and no changes were made to the proposed plan amendment as presented at the public hearing.

LOCAL GOVERNMENT SUPPORT FOR THE PLAN AMENDMENT

The Board of Trustees of the Village of Sussex adopted the plan amendment on November 14, 2006.

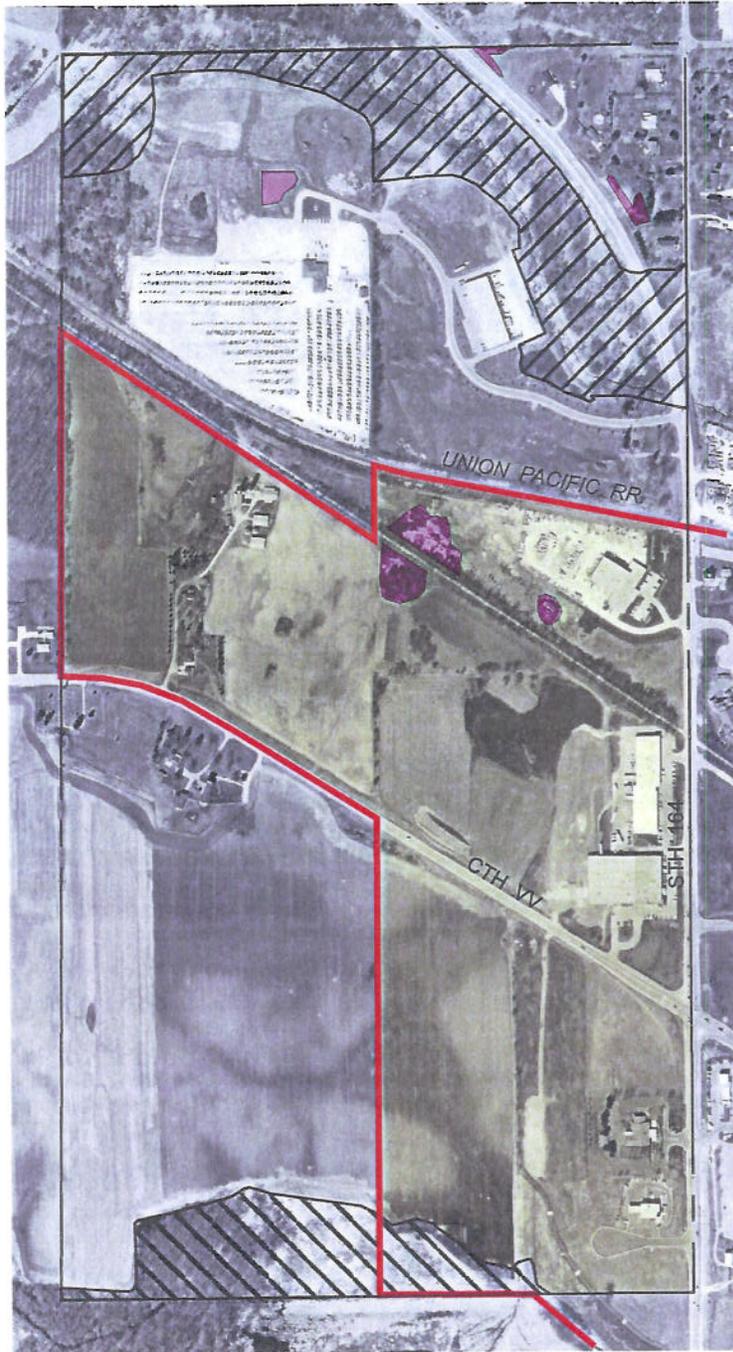
CONCLUDING RECOMMENDATION

Based on the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the Village of Sussex and environs sanitary sewer service area in the manner identified on Map 1.

Map 2

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF SUSSEX AND ENVIRONS

East Half of U. S. Public Land Survey Section 21
Township 8 North, Range 19 East

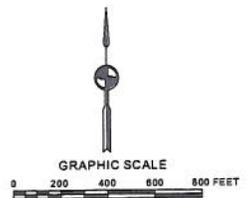


Photography Date: March 2000

- | | |
|---|--|
|  PRIMARY ENVIRONMENTAL CORRIDOR |  GROSS SANITARY SEWER SERVICE AREA BOUNDARY |
|  SECONDARY ENVIRONMENTAL CORRIDOR |  PLANNED SANITARY SEWER SERVICE AREA |
|  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE | |

NOTE: This map replaces a portion of Map 9-3, page 27, of SEWRPC Community Assistance Planning Report No. 84 (2nd Edition), Sanitary Sewer Service Area for the Village of Sussex, Waukesha County, Wisconsin, September 1994.

Source: SEWRPC.



ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF SUSSEX AND ENVIRONS

East Half of U. S. Public Land Survey Section 28
Township 8 North, Range 19 East



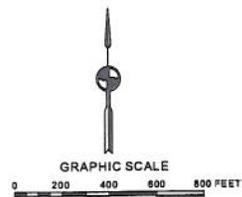
Photography Date: March 2000

-  SECONDARY ENVIRONMENTAL CORRIDOR
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY

-  PLANNED SANITARY SEWER SERVICE AREA

NOTE: This map replaces a portion of Map 9-5, page 29, of SEWRPC Community Assistance Planning Report No. 84 (2nd Edition), *Sanitary Sewer Service Area for the Village of Sussex, Waukesha County, Wisconsin, September 1994.*

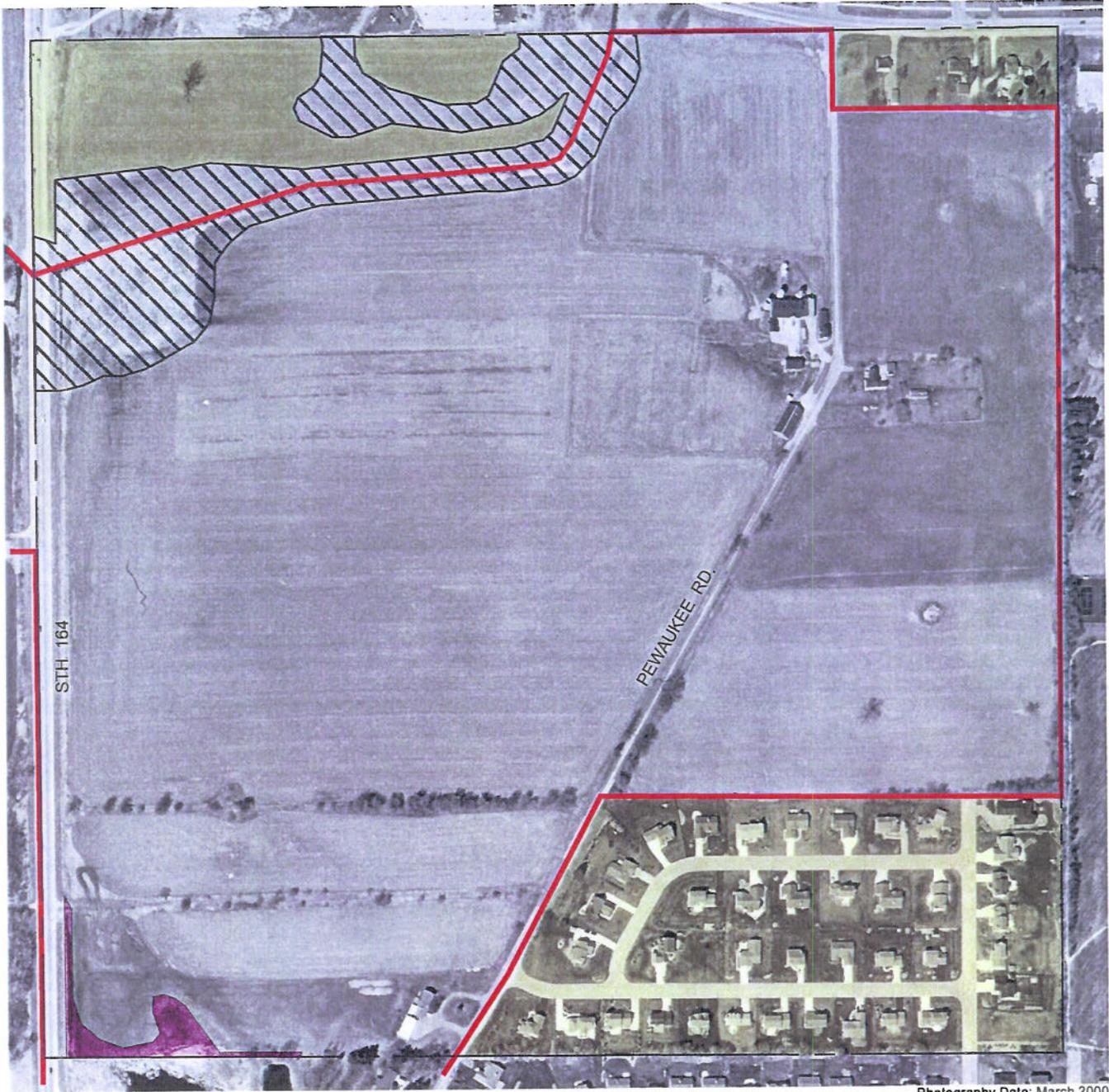
Source: SEWRPC.



161-R-009

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF SUSSEX AND ENVIRONS

Northwest Quarter of U. S. Public Land Survey Section 27
Township 8 North, Range 19 East

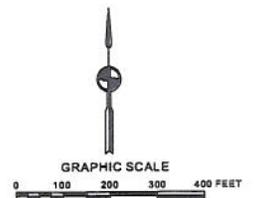


Photography Date: March 2000

-  SECONDARY ENVIRONMENTAL CORRIDOR
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY
-  PLANNED SANITARY SEWER SERVICE AREA

NOTE: This map replaces a portion of Map 9-5, page 29, of SEWRPC Community Assistance Planning Report No. 84 (2nd Edition), *Sanitary Sewer Service Area for the Village of Sussex, Waukesha County, Wisconsin, September 1994.*

Source: SEWRPC.



ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF SUSSEX AND ENVIRONS

Southwest Quarter of U. S. Public Land Survey Section 34
Township 8 North, Range 19 East

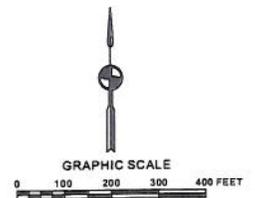


Photography Date: March 2000

-  SECONDARY ENVIRONMENTAL CORRIDOR
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY
-  PLANNED SANITARY SEWER SERVICE AREA

NOTE: This map replaces a portion of Map 9-5, page 29, of SEWRPC Community Assistance Planning Report No. 84 (2nd Edition), *Sanitary Sewer Service Area for the Village of Sussex, Waukesha County, Wisconsin, September 1994.*

Source: SEWRPC.



161-R-009

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-02/27/07

(RES) NUMBER-1610009

1 K. HERRO.....AYE
3 T. ROLFS.....AYE
5 J. MARCHESE.....NAY
7 J. JESKEWITZ.....AYE
9 P. HAUKOHL.....AYE
11 K. HARENDA.....AYE
13 J. MORRIS.....AYE
15 D. SWAN.....AYE
17 J. BEHREND.....AYE
19 W. MITCHELL.....AYE
21 W. KOLB.....AYE
23 J. TORTOMASI.....AYE
25 K. CUMMINGS.....AYE
27 D. PAULSON.....AYE
29 T. BULLERMANN.....AYE
31 V. STROUD.....
33 K. HAMMITT.....AYE
35 P. MEYER.....AYE

2 R. THELEN.....AYE
4 R. HUTTON.....AYE
6 D. BROESCH.....AYE
8 J. DWYER.....AYE
10 S. WOLFF.....
12 T. SCHELLINGER....AYE
14 S. WIMMER.....AYE
16 R. STEVENS.....AYE
18 B. MORRIS.....AYE
20 P. WOLFF.....AYE
22 G. BRUCE.....
24 J. VITALE.....AYE
26 F. RUF.....AYE
28 P. JASKE.....AYE
30 K. NILSON.....
32 P. GUNDRUM.....AYE
34 R. SINGERT.....AYE

TOTAL AYES-30

TOTAL NAYS-01

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-31